## **EXHIBIT B**

Osundairo and Osundairo vs Geragos, Glandian, and Geragos & Geragos Law Firm

Audio Transcription

Taken on: April 06, 2019



1	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS				
2	EASTERN DIVISION				
3	OLABINJO OSUNDAIRO and )				
4	ABIMBOLA OSUNDAIRO, ) Individually, )				
5	Plaintiffs, )				
6	vs. ) MARK GERAGOS, TINA GLANDIAN, and )				
7	GERAGOS, TINA GLANDIAN, and )  GERAGOS & GERAGOS LAW FIRM, )				
8	Defendants. )				
9					
10	The audio recording from 4/6/2019 held in the				
11	above matter were taken down stenographically to the				
12	best of her ability by Traci L. Gidley, Certified				
13	Shorthand Reporter, Registered Professional Reporter,				
14	and Notary Public, at 180 North LaSalle Street,				
15	Suite 2800, Chicago, Illinois, commencing at 5:00 p.m.				
16	on June 8, 2019.				
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1	(Whereupon, the beginning of the
2	recording from 4/6/19.)
3	UNIDENTIFIED ANNOUNCER: This is Reasonable Doubt
4	with your hosts Mark Geragos and Adam Carolla.
15:42:01 5	MR. CAROLLA: May I get it on, got to on, judgment
6	get it on, mandate get it on, and welcome to the best
7	hour in the universe. It's Reasonable Doubt. I'm Adam
8	Carolla. It's Mark Geragos over there.
9	Mark, you're calling from where?
15:42:16 10	MR. GERAGOS: I'm calling from New York. I'm
11	getting prepared to pick a jury on Monday in Federal
12	Court here in Brooklyn. And (unintelligible) I really
13	like the fact that we do Reasonable Doubt on Friday
(13 (14	like the fact that we do Reasonable Doubt on Friday (unintelligible.) That's It's my favorite.
(14	(unintelligible.) That's It's my favorite.
14 15:42:36 15	(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.
14 15:42:36 15 16	<pre>(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.  MR. GERAGOS: It's the perfect way to cap the week.</pre>
14 15:42:36 15 16 17	<pre>(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.  MR. GERAGOS: It's the perfect way to cap the week.  MR. CAROLLA: I agree. The phone was a little</pre>
14 15:42:36 15 16 17 18	<pre>(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.  MR. GERAGOS: It's the perfect way to cap the week.  MR. CAROLLA: I agree. The phone was a little  screwy for a second, but we got the gist of what you're</pre>
14 15:42:36 15 16 17 18 19	<pre>(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.  MR. GERAGOS: It's the perfect way to cap the week.  MR. CAROLLA: I agree. The phone was a little screwy for a second, but we got the gist of what you're saying.</pre>
14 15:42:36 15 16 17 18 19 15:42:44 20	<pre>(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.  MR. GERAGOS: It's the perfect way to cap the week.  MR. CAROLLA: I agree. The phone was a little  screwy for a second, but we got the gist of what you're  saying.  Tina Glandian I think I'm pronouncing that</pre>
14 15:42:36 15 16 17 18 19 15:42:44 20 21	<pre>(unintelligible.) That's It's my favorite.  MR. CAROLLA: Sorry.  MR. GERAGOS: It's the perfect way to cap the week.  MR. CAROLLA: I agree. The phone was a little  screwy for a second, but we got the gist of what you're saying.  Tina Glandian I think I'm pronouncing that  right is one of your associates, right?</pre>



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as well, right?
       1
       2.
                MR. GERAGOS: Correct. Correct. And I think she's
           going to call in here shortly.
       3
                                     I think we're going to grab
       4
                MR. CAROLLA:
                              Yeah.
15:43:03
       5
           here.
                MR. GERAGOS: And -- And She's the one -- She's the
       6
           one who in the pictures, if you see in court, has kind
           of -- looks to be -- I won't tell her age, I think that
       8
      9
           that's a problem -- she looks young --
15:43:14 10
                MR. CAROLLA:
                              Yes.
                MR. GERAGOS: -- long kind of blondish hair.
      11
      12
                                    I -- I can see her in my mind's
                MR. CAROLLA:
                              Yes.
      13
           eye. And --
      14
                MR. GERAGOS: Right.
15:43:25 15
                MR. CAROLLA:
                               -- we'll talk to her. So breaking --
      16
                MR. GERAGOS:
                              And quite a week -- Quite a week in
      17
           Smollettland.
                MR. CAROLLA: Well, I'm going to set the table by
      18
           saying I've never gotten more hateful Tweets in my life
      19
15:43:36 20
           than after discussing the Smollett case with Mark
      21
                     So I now know what it's like --
      22
                MR. GERAGOS: Right.
      23
                MR. CAROLLA: -- to be, like, a hated politician or
      24
           something. And I -- I got to be honest, when I sit
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1
           around other celebrities and other folks and they go,
       2.
           Oh, you know, all the haters, all the haters out there,
       3
           all the haters. And I never want to say anything, but
           my fans are great.
                               I read almost no negative Tweets
       4
           about me, and it was all awesome until last week.
15:44:00
       5
       6
           then --
       7
                MR. GERAGOS: I know. It's -- And then they came
           out, and it was the -- and the level of, how should I)
       8
      9
           put it, just kind of vitriol --
15:44:15 10
                MR. CAROLLA:
                              Yeah.
                MR. GERAGOS: -- is -- is that next level. I don't
      11
      12
           even get it. I -- It -- It really -- They -- There are
      13
           certain cases and certain things that just hit a nerve,
      14
           and this, obviously, is one of them. It just hits a
15:44:31 15
           nerve.
      16
                     I think I told you the first -- the first week
      17
           when he came in and I was talking with him and I just
      18
           finished a -- wrapped up Kaepernick, and then this case
      19
           came in, and I was like -- I -- I think I said I could
15:44:48 20
           have just kind of ridden into the sunset on a high, but
      21
           I quess I -- I just love to rile up the crazies. (I)
           don't know.
      22
      23
                              Well, you're --
                MR. CAROLLA:
      24
                MR. GERAGOS: (Unintelligible.)
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MR. CAROLLA: -- you're definitely one of those
       1
       2.
                     There's -- There's two kinds of people.
           people.
            There's one kind of person that has a toothache, so they
       3
            immediately go to the dentist. And then there's another
       4
15:45:07
           kind of person that has a toothache, so they flick it
       5
       6
           with their tongue three times a day so it makes them
           feel like they're alive. So if you're a teenage girl,
           you definitely cut on yourself. There's no doubt about
       8
       9
            it.
                      Tina -- Attorney Tina, Gary, is going to pop
15:45:20 10
      11
           up on one lines, but I'm not seeing her -- oh.
      12
            is on --
      13
                MR. GERAGOS:
                               I think she's trying in --
      14
                MR. CAROLLA:
                               Tina --
15:45:28 15
                MR. GERAGOS:
                               While we're waiting for that, can I
      16
            say one thing?
                               Yeah. Go ahead.
      17
                MR. CAROLLA:
      18
                      Just put her on hold, Gary.
      19
                               (4:56 into the podcast was a
15:45:34 20
                                commercial for Tommy John.)
      21
                               So Tina's on Line 5.
                 MR. CAROLLA:
                                                      Tina is
      22
           Jussie's attorney.
      23
                      Tina, can you hear -- can you hear us?
      24
                MS. GLANDIAN:
                                I can hear you, yes.
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Oh. That's good. Thank you. 1 MR. CAROLLA: 2. All right. So let's see if we can work Gary's technological miracle here of having everyone in a 3 different state and putting it all together on the same 4 15:46:59 5 podcast. So breaking news which is City of Chicago 6 wants 130 large as reimbursement. First, catch us up on -- on that piece of 8 news, if you could, Tina. 9 15:47:12 10 MS. GLANDIAN: Sure. So we -- we sent a response 11 They had given us a deadline of a week, which was 12 totally arbitrary. They, obviously, don't have to do anything within a week. But we responded by letter, 13 14 basically, setting forth all the reasons why they can't 15:47:25 15 do what they're trying to do, and then -- so saying, you 16 know what, if they -- if they insist on moving forward, we're happy to do so. 17 We plan to takes the depositions of Mayor Rahm 18 Emanuel, Eddie Johnson, a couple of others, their 19 15:47:41 20 attorneys, and let the public actually hear the truth in 21 this case. 22 MR. CAROLLA: I'm quessing you guys -- and -- and 23 this -- I don't know if this would be unprecedented. Ι 24 don't -- I've never heard of a time of when they were



re-compensated or compensated for a case that they 1 2. dropped, but has it ever happened in the annuls of court 3 history, as far as you know? Not from our research, no. And the 4 MS. GLANDIAN: 15:48:06 statute they're actually relying on is not -- this is 5 kind of part of Chicago's off claims act statute which 6 is really not for anything like this, and our research hasn't -- has disclosed no cases where it's been used 8 9 for (unintelligible) and, you know, for an investigation. So it's totally unprecedented, and I 15:48:22 10 think the way they're trying to apply this is totally 11 12 unconstitutional under the facts of this case. 13 MR. CAROLLA: Are they attempting to save face in 14 the public's eye because the outrage amongst the public 15:48:37 15 was -- was so -- was so demonstrative? 16 MS. GLANDIAN: Yeah. I think that's exactly what they're trying to do by this. 17 18 MR. CAROLLA: Is -- Is -- Are you guys -- maybe this is more of a question for Mark -- we don't have to 19 15:48:49 20 get into numbers here, but you're talking about throwing 21 good money after bad here. I mean, when you're talking 22 about sitting down and deposing the mayor and the police 23 chief and -- you know, over a case that there's no pot

of gold at the end of the rainbow.



24

	1	Kaepernick suing the NFL, I get the upside of
	2	that, this, no no financial upside. So what's in it
	3	for you? How's it working? Who pays the bills?
	4	MR. GERAGOS: You know, that's a very interesting
15:53:15	5	thing because people often ask why do you do this or why
	6	don't you.
	7	And especially for haters, the thing that I
	8	think they should understand is if they're going to do
	9	this to somebody and, by the way, you know, the same
15:53:33	10	person who's got three followers who's vitriol because
	11	they know he's guilty even though they've never seen the
	12	discovery because it's never been released and there
	13	the file is sealed, but they're positive because the
	14	Chicago superintendent and police went on TV and made
15:53:52	15	this this case which was demonstrably wrong, and then
	16	Ms. State's Attorney, when they took a look at the file,
	17	stood up, and dismissed it knowing, of course, that
	18	anybody who who's ever practiced in the criminal law
	19	field know that to get a prosecutor to dismiss, you must
15:54:11	20	have you must have an issue.
	21	And, clearly, as I've said on a couple of the
	22	previous episodes, the issue here was that the
	23	superintendent of police went out there and said
	24	demonstrably false things. They knew that they couldn't



1 back it up, they knew that ethically that that was a 2. real challenge because you're not supposed to go out) 3 there and do that. 4 And so the State's Attorney did something that 15:54:36 5 was brave and said, Look, it's a Class 4 felony. We're 6 not going to get into this. We don't have corroboration, which is what I said from Day 1. what I mean by corroboration is just because somebody 8 9 says you did something or somebody says you knew something does not mean that you did. That's not 15:54:51 10 11 America. That might be North Korea, that might be the 12 old Soviet Union, but it's not the American criminal 13 justice system. 14 Circling back to the guestion --MR. CAROLLA: 15:55:07 15 MR. GERAGOS: Just going back to your answer is if 16 I get this dismissed and then I tell the guy, Oh, just 17 write them a check so that Rahm Emanuel, the diminutive 18 outgoing mayor of Chicago, can showboat on his way out the door because, like, he didn't -- mind you, this is 19 15:55:24 20 the same guy and the same people who are so 21 (unintelligible) the first people who will tell you that he ran the city into the ground, and he couldn't get 22 23 re-elected, and the superintendent of police is not 24 going to be superintendent of police for much longer,



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           either, because they just elected a new mayor.
       2.
                      If I'm going to walk away from that and say,
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           Okay, you can go showboat, that's it, then why am I)
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           doing what I do?
15:55:48
       5
                     So, yeah, I don't always do it for the money.
           There are mixed motivations. If I always did it for the
       6
           money -- I've said this to my young lawyers -- there are
           easier ways to make a living than to do what we do.
      8
      9
           so --
                               So this -- this falls -- This
15:56:00 10
                MR. CAROLLA:
           falls --
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      12
                MR. GERAGOS: At a certain point --
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                MR. CAROLLA: -- under the heading of
      14
            (unintelligible.)
15:56:05 15
                MR. GERAGOS: -- somebody needs -- yeah, it really
      16
           does.
                               Well, I mean, Jussie --
      17
                MR. CAROLLA:
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                MR. GERAGOS:
                               It is.
                               I'm just -- I'm just trying to ask --
      19
                MR. CAROLLA:
15:56:14 20
           I'm trying to anticipate all the horrible questions I
      21
           get via Twitter the next day when they want to know, Why
      22
           didn't you ask him this and why didn't you ask him that?
      23
                      So I'm quessing at your hourly rate, your
      24
           standard rate, Jussie Smollett is not paying you to
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continue billing him on an hourly rate; this is
       1
       2.
           something that you guys have picked up, maybe sort of
           pro bono, and said, This is more than a payday; this is
       3
           something -- this is a --
       4
15:56:39
                MR. GERAGOS: Right. Let's --
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       6
                MR. CAROLLA:
                              -- wrong that needs to be righted.
                MR. GERAGOS: Let's not get excess- -- Let's not
           get excessive about pro bono, but at the same time --
       8
       9
                MS. GLANDIAN:
                               I'm trying to twist Mark's arm on
15:56:49 10
           that, but I don't know if we're there yet.
                MR. GERAGOS: Yeah. Tina would -- Yeah.
      11
                                                           Tina --
      12
                               I would do this pro bono.
                MS. GLANDIAN:
                              Tina -- Tina may be pro bono. I -- I
      13
                MR. GERAGOS:
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           consider it more for the principal.
15:56:58 15
                MR. CAROLLA:
                              Yeah.
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                MR. GERAGOS: I just don't think that a pol- -- I
      17
           really feel strongly that if a prosecutor stands up and
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           does the right thing and says, I looked at the evidence,
      19
           and there -- we couldn't make our case, and so I'm going
15:57:14 20
           to dismiss, and then some politician showboats on the
      21
           back of that -- and that's exactly what it was; it was
           grandstanding -- that somebody's got to stand up for it.
      22
      23
           If you don't do that, then why where are you practicing
      24
           law?
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1	And, by the way, the the vitral as you
2	know, I kind of do I I don't mind it, I you
3	know, I find some solace in the people who are critics.
4	If it were somebody who I thought had thought about it
15:57:42 5	or had a nuanced view about it or had actually examined
6	it, then I probably would be concerned. But if it's
7	somebody who's just unhinged, that's fine. I get it.
8	But, you know, the first time that same critic
9	gets on a 52/50 hold for 14 days just because there
15:58:01 10	they're they're psycho, but they're not a threat to
11	themselves or others, they would want somebody who
12	challenges the State's authority of unbridled
13	authority.
14	This is bullshit. It's just bullshit that
15:58:16 15	you they haven't proven a case, and that the mayor
16	gets out there, grandstands it, and wants to then she
17	used a statute that has never been intended to be used
18	this way to to, basically, frighten people. And, you
19	know, there is an old adage about if you don't take a
15:58:35 20	stand at a certain point and then especially in the
21	law then guess what? Then they expand it even
22	farther. That's what the law is all about.
23	MR. CAROLLA: All right. So, Tina, you were on
	MIN. CANODUA. ATT TIGHT. 50, IIHA, YOU WELE OH
24	Good Morning whatever last week or whenever it was and



you were --

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MS. GLANDIAN: Right.

MR. CAROLLA: -- talking about the theory about possible white face. I think most people didn't agree with that theory.

But what is the general concept in -- in broad strokes of what happened that night, according to your client? Just to hear it from your -- your mouth.

MS. GLANDIAN: Sure. So what happened that night is so -- as you know, he had hired the brother -- the one brother. And, again, just to -- to make sure that this is clear, he only really had a relationship with one brother. The older brother, he had only met on a handful of occasions, so silly through the younger brother who he was friendlier with, and, you know, he didn't have the phone number for the older brother. They never, you know, on their own communicated. This wasn't somebody he knew, again, more than just in passing through the younger brother.

But, anyway, so he had hired Abimbola who he knew as Bon who I think has been referred to as Abel in this case to train him for this upcoming music video, and they were in constant communication. And, again, there's dozens of texts between them that show that he



had been hired for the nutrition and training, and that they were going back and forth with the -- with, you know, a nutrition plan, training plan, and plaining workouts and things of that nature.

And so Jussie was actually flying back from

New York that day, and they were supposed to train that

evening after he landed. He was supposed to originally

get in around 8:00 o'clock, and they were going to train

around 9:00 o'clock. And so he ends up sitting -- his

flight's delayed, ends up being delayed for four hours

on the tarmac, and he's sending lots of texts. And,

again, it's not just to Olab and Abel -- not just to

Abel, but, you know, many people he's interacting with.

But he is going back and forth with Abel because, again,

they're supposed to meet later that night.

So at some point when it's delayed as much as it is and now he's getting in close to midnight, he basically -- you know, there was a brief call between them, and he lets him know that, you know, We're no longer going to train tonight. Like, I just landed and it's really late, and so we'll just do our morning workout as planned.

And somewhere in that conversation, he -- the trainer tells him, you know, just make sure eat tomorrow



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and he's given him a nutrition plan. He's supposed to eat, you know, kind of -- he has a regimented diet and -- including four eggs and whatnot. And so Jussie said I'm going to have to run out and get some. I don't think I have any, but I'm make sure to go out and get some eggs and, you know, eat.

So he was picked up that night. He had his creative director was staying at Jussie's place. And so his creative director picks him up, takes him home. Once they get home, he then leaves, he's headed to Walgreen's to go get some food for -- I mean, he's hungry. He's been kind of on this flight delayed, he's been sitting on a plane for seven hours, well, he wants to get something to eat, he wants to get the eggs for the morning. And so walks towards Walgreens except it's closed as he approaches. He thought it was 24 hours, and it turns out it's not, and then decides to go to Subway.

He calls Frank, who's his creative director, to see if Frank wants anything from Subway now that he's headed there. Frank says -- the tuna sandwich was actually for Frank. So frank tells him what his order is, and he heads in, goes to the store, buys, you know, himself a salad, a water, and gets Frank his tuna



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sandwich. 1 2. Okay. Let's stop for one MR. CAROLLA: Oh. 3 second, Tina. Because so much early on was, If you bought yourself a tuna sandwich, why would you still 4 16:02:59 have the tuna sandwich after --5 MS. GLANDIAN: Right. And I'm going to get to that 6 7 because that's ridiculous. People acts like he was holding onto the sandwich during the whole incident. 8 And let me just walk you through it, and I'll -- I'll 9 16:03:08 10 include that --So he gets the sand- -- I'm sorry. 11 MR. CAROLLA: 12 He gets the salad, he eats the salad at the Subway? 13 MS. GLANDIAN: No. He gets this all to go. 14 MR. CAROLLA: Okay. Sorry. Continue. 16:03:19 15 MS. GLANDIAN: He gets everything to go -- that's 16 okay. And in the interim, he also is texting with 17 18 his music manager who he thought at that time who had been in Australia -- he thinks he's in Australia. 19 16:03:27 20 texts him saying, I don't know what time it is there, 21 but, you know, whenever you're available, give me a 22 call. 23 Music manager calls him as he's leaving 24 Subway, and he's on the phone with him. And he has his



actual telephone in his -- his cellphone in his pocket, and he has an earpiece in one of his ears. And so that's happening as he leaves Subway.

And at some point, you know, when he's getting closer to his home -- and I don't know if this is clear, as well, where this happened is right outside of his -- so it's right by the stairwell there. This wasn't, you know, randomly in the middle of -- kind of the street away from -- from this is -- you know, people knew where to find him. This was right outside of his place.

Anyway, as he is nearing his apartment, that's when, you know, he hears the yelling from behind. As he's talking to his music manager, turns around, the attack happens, and during this whole time -- so his cellphone stays on during the entirety of the attack. It falls out of his pocket, is laying on the sidewalk. At some point, they're on the floor kind of hustling and fighting while, you know -- he's getting kicked while he's on the floor. And at some point, the -- the two guys run off.

And he sits up, he realizes the phone is still on, he picks it up, and his music manager is, you know, kind of very concerned. Obviously, he's heard what -- what happened, you know, how he -- what happened

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and -- and, at that point, Jussie want to chase after these guys. And he tells them, you know, I'm running after them -- you know, because he realizes that what made him realize that is that's the first time he saw the noose thrown around his neck.

And so he says that he's going to go after them, and the manager is asking him where he is, he finds out he's outside his place tells, and, like, begs him and tells him, No. You have to go inside. You don't know if they have weapons, you don't know who they are, what they are, and he just tells him, You have to go inside. You have to go inside.

So he gets up, gathers everything that has fallen -- and so his phone had fallen -- and grabs the bag (unintelligible) grabbing whatever is yours, and he goes inside --

MR. CAROLLA: Right.

MS. GLANDIAN: -- and he encounters his -- the concierges at his building who, again, corroborates -- you know, there was some -- again, Eddie Johnson came forward and said there was self-inflicted wounds. The conci- -- which, again, is out of thin air, completely fabricated. Because, first of all, the brothers come forward and they say that we attacked him, and we



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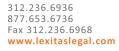
16:04:56

punched him, and we did these things, and then the concierges also confirm that, you know, it's in the police report that when he walks into the building, he has scratches on his face and, you know, his hooded sweatshirt was, you know, wet and dirty.

And, anyway, so he goes upstairs. He tells him that he was jumped, and, you know, he's not really responsive. And he ends up going upstairs. And he goes up where Frank is, and he doesn't want to call the police. Again, he -- As everyone who knows him will say is generally he's a very private person, didn't want the attention from this, is, you know, adamant that they not kind of let this get out. And Frank says, No. This is really serious.

And, again, there is a lot of realtime text messages between Frank and other people close to him, including his music manager who, at this point, is very concerned because he heard, you know, what had happened. Obviously, he was on the phone, and they're all texting saying, you know, he doesn't -- he didn't want to call the police. And Frank says, I ended up calling the police because he was trying to be proud. He didn't want do this --

MR. CAROLLA: Right.



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MS. GLANDIAN: -- and he didn't want to -- he 1 2. didn't even want to go to the hospital. Okay. So that --3 MR. CAROLLA: MS. GLANDIAN: (Unintelligible) the police report 4 16:06:42 said that he did not want to call the police 5 6 (unintelligible.) That -- That makes a lot of sense MR. CAROLLA: with the sandwich, when you put it into that context 8 9 versus the, I held the sandwich the whole time. 16:06:51 10 MS. GLANDIAN: Sure. MR. CAROLLA: I was beaten in the street. 11 12 But now that leads us back to cellphones and cellphone records and turning in --13 14 MS. GLANDIAN: Sure. 16:06:58 15 MR. CAROLLA: -- cellphones. 16 Couldn't this all be cleared up with that or you tell me -- I'll -- I'll ask the tough questions. 17 18 How come we don't get the cellphone records and the cellphones and corroborate all this stuff? 19 16:07:11 20 MS. GLANDIAN: Well, they have. I mean, the police 21 have all the cellphone records. They, obviously -- I 22 think, you know, subpoenaed the records, they have it 23 from -- they have the -- the communication. 24 He had provided -- you know, there was a lot



of talk about how he provided redacted phone records, but, again, that was another myth. He never redacted any information. What he provided was, you know, the phone records from right before the attack 'til -- 'til afterwards because that's what he, at the time, thought was, you know, relevant to produce.

And, again, he is a public figure. Early on in this case, things were leaking so fast, and he -- when he was asked to -- initially, they asked him to provide his entire phone, and he just wasn't comfortable. He had lots of photographs on it, he has contact information, and other text messages, and he didn't want to -- didn't want to have to turn this over where he could provide whatever information they need in more of a controlled setting.

But, again, there wasn't -- it's not like from during -- from before or after the incident he redacted calls he made or texts or anything of that nature. He provided the full information.

MR. CAROLLA: I'm (unintelligible) when it comes to technology.

Did -- Are you able to read a transcript or see the text or hear a recording? Like, what -- how -- how in-depth are you and can you get with the cellphone



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records, quote/unquote?

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MS. GLANDIAN: So we've seen -- Well, we've seen all of the text messages. And, again, the police have all of the text messages. And there's nothing -- you know, as Mark was says earlier, there is zero independent corroboration in this case. There's a couple things that they've taken -- you know, police have taken out of context and tried to make it something that it isn't.

And so I think one of the -- I think really the -- the one that they relied on the most completely taken out of text was a text message where Jussie texted Abel and said, Hey, can you meet me and talk -- you know, talk on the low, kind of face-to-face. And, again, this is somebody who he regularly is seeing. At this point, they're working out, and that text -- you know, they took out of context to try to say that -- and this was a few days before the attack.

So the police theory and what the prosecutor, you know, said in her proffer was that that's when, you know, he meets up with him, and in this brief, you know, I don't know, it's a seven- or eight-minute conversation, plans out this whole attack. And, in fact, if you, actually, look at the text messages, you



know, what -- what he's actually referring to in that is that when he had first started talking to Abel about doing this workout plan -- and he was trying to shed about 20 pounds for the music video because he had to be shirtless --

MR. CAROLLA: Uh-huh.

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MS. GLANDIAN: -- and he -- Abel had told him that -- you know, because they were about to -- him and his brother were about to go to Nigeria. He said there's these herbal steroids you can take that really -- that are illegal here in the US but that I can get in Nigeria, and it helps you shed fat very quickly. So if you are interested, let me know.

And so, at this point, Jussie -- you know, if you read the text messages, he's actually texting him, they're talking about the nutrition, they're talking about the workout plan and all of that. And then in the midst of one of the texts which, you know, was -- in context, if you read it, he says, you know, Can you actually -- Hey, meet up with me. You know, I want to talk to you face-to-face, because he wanted to tell him to get these steroids from Nigeria, and he didn't want to put that in a text. He was just being cautious and thought, you know, When I see him, I'll tell him rather



than -- but, you know, it's absurd when you think of 1 2. that being the text that led to all of this in the context of what they're talking about. 3 MR. CAROLLA: And -- All right. Much like the 4 16:10:36 sandwich, that's -- definitely make sense now. 5 And, just for people listening who are going 6 to send me horrible Tweets, I'm really here trying to figure out what makes -- what is possible and what's not 8 possible. So when you hear their version on the low, 9 16:11:33 10 you go, Whoa, why do you need to talk to your personal trainer on the low unless it's -- well, if your personal 11 12 trainer is going to Nigeria, and he was going to get you some human growth hormone, and you didn't want this 13 14 out -- out in the whateversphere, then you could. 16:11:47 15 I'm not saying it absolutely was; I'm just saying we 16 have a context now. 17 So --MS. GLANDIAN: 18 Right. MR. CAROLLA: -- motivation, what would be the 19 16:11:58 20 motivation for these fellas, Abel and his -- his older 21 brother to do this? MS. GLANDIAN: Right. And that's -- I mean, that's 22 23 a great question. Because you really have to -- It's 24 not even just what -- what their motivation would be,



but you have (unintelligible), you know, both possible motivations.

So what their motivation would be -- and, again, keep in mind these are two brothers who came forward when all this happened and put out a statement, We're not homophobic, you know, and strongly took that position.

And shortly after, it was revealed that there was, in fact, not only homophobic Tweets from their Twitter account from several years ago, but two independent people came forward from Empire and said, you know, Abel had actually made extremely homophobic comments early on when he had, you know, been on the show where it was quite surprising, you know, using the word faggot and saying, I would never be friends with someone who was gay, and just, you know, taking a really strong homophobic stance on things.

And so, you know, that came out. And then, you know, in talking to Jussie, I found it out that, you know, he and Abel had been hanging out a lot and they were friends, and, you know, he was not just his trainer, but they were actually friends, and they would socialize and go out. And about ten days before the incident, Abel actually spent the night at Jussie's



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1 place. 2. And my theory, at least, is that, you know, the older brother who lived with Abel saw that his 3 younger brother didn't come home, started wondering what 4 16:13:25 this relationship really is -- and keep in mind, Abel is 5 also playing the role on the show, he's the stand-in for 6 Jussie's love interest. MR. CAROLLA: Uh-huh. 8 MS. GLANDIAN: And so I think -- you know, it's one 9 thing he's playing the -- the -- this character, now 16:13:38 10 11 he's hanging out with this openly gay man, and now he 12 spent the night there. So I think he starts thinking to 13 himself, you know, what's really going on here. 14 MR. GERAGOS: Wow. Tina -- Tina Glandian with the theory, the throw down theory and motive. 16:13:50 15 16 MR. CAROLLA: Well, you know --MS. GLANDIAN: Well, I have a very specific theory. 17 18 MR. CAROLLA: All right. I'm -- I'm in. 19 Would -- But -- So I -- I don't know --16:14:01 20 I think it was -- Just to finish MS. GLANDIAN: 21 that, I think it was kind of a test, the older brother testing the younger brother. You know, they're leaving 22 23 for Nigeria, and I think he wants to make sure he

understands this relationship, and it's not what, you



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know, he fears it might be.
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                               It's -- It's -- It's definitely a
                 MR. CAROLLA:
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                     It's certainly a bunch of information we didn't
            really have before.
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                      I -- I don't know if you know, and I don't
16:14:21
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           know if you can express it if do you know it, but I've
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           had plenty of dudes spend the night at my bachelor pad
           because they drank too much and didn't get laid and
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       9
            ended up passing out, like, on the sofa kind of thing.
                      Do -- Was there a relationship or was it a
16:14:35 10
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            crashing on the sofa?
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                                     But I'm saying -- What I'm
                 MS. GLANDIAN:
                                No.
            speaking to is what the older brother would have
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            thought --
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                MR. CAROLLA:
                               I get it.
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                MS. GLANDIAN: -- because he knows that Jussie is
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            openly gay.
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                 MR. CAROLLA:
                               Right.
                                And, you know, the brother is
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                MS. GLANDIAN:
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           playing the love interest (unintelligible.)
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                               Unlike -- Unlike Adam who had --
                MR. GERAGOS:
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                MR. CAROLLA:
                               Closeted.
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                MR. GERAGOS: -- never been accused of that.
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                MR. CAROLLA:
                               I wish one gay guy would just hit on
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1 Just once so I can say no or even maybe now. me once. 2. So, okay, white -- white -- two white guys, 3 why would he say two white guys? MS. GLANDIAN: Okay. That's again another --4 16:15:17 What did he say? What did he say? 5 MR. CAROLLA: MS. GLANDIAN: He never said two white guys. First 6 of all, he only saw one attacker. He didn't -- The other one kind of approached once he was already on the 8 floor and he was being kicked. He never saw the second 9 16:15:28 10 attacker. As far as the one who he did see, there was a 11 12 ski mask on his face, and, you know, this was, again, a 30- to 45-second incident where the first point of 13 14 contact is a punch to his face. 16:15:41 15 But moving past that, you know -- and I know I 16 mentioned the white face makeup and all of that, and -you know, but putting that aside for a second, it's 17 18 interesting because all of the initial reports that Jussie gave all of the police reports, there's no 19 16:15:55 20 mention of any sort of reference to the attacker being 21 That, you know, is something later that, you 22 know, he said was his memory of what happened, and I 23 think it's interesting how memory works. 24 If you actually kind of have an understanding



of it, it's not -- your brain isn't like a video camera where if you want a memory, you just call it up and press play. Memory is constructed. And so here you have this incident that happened, and there's, obviously, statements made and, you know, the overall impression I think after the fact was he's trying to construct the memory of what happened. I think that's when at some point this would only make sense to him that it was -- you know, that that's what he -- he thought --

MR. CAROLLA: Yeah.

MS. GLANDIAN: -- he remembered.

You know, and, again, that's -- because to me it's really significant that that's nowhere in any of the initial police reports that were taken.

MR. CAROLLA: Yeah.

MS. GLANDIAN: But then also, you know, yeah, I did put that out there because that -- that exists, that's a real -- you know, this is an actor who has access to makeup. Obviously, this attack was -- you know, they used a number of props, so do I think it's ridiculous that, you know, if they were going doing this with all -- you know, with the ropes and the bleach that they put in a little hot sauce bottle and everything else



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that -- is it crazy that they would put, you know, 1 2. makeup under the ski mask? I don't think that's crazy. 3 MR. CAROLLA: I have -- I have a theory, and, obviously, it's going to be tough for either one of you 4 16:17:28 to comment on it, but it's -- I think it's -- I have a 5 hybrid theory, a -- a meet-in-the-middle theory. 6 MS. GLANDIAN: Okay. I'll -- I'll ask Gary --8 MR. CAROLLA: 9 GARY: Sure. MR. CAROLLA: -- what he thinks. 16:17:36 10 And -- And thank you for spending so much time 11 12 on this, Tina. I find this really fascinating. 13 MS. GLANDIAN: Sure. 14 I've started to formulate a theory MR. CAROLLA: 16:17:48 15 only based on talking to Mark and -- and Tina, and --16 but I had it a few days ago. I believe there could be a possibility of both 17 things happening. I believe he could have been attacked 18 by these two brothers, and I believe he could have not 19 16:18:09 20 summoned the brothers or laid it out in advance or paid 21 them money or anything else. 22 I also believe he could have taken the attack 23 as an opportunity, whether it be conscious or not, he's 24 very pro left, he's very -- you know, the whole



	1	movement, GLAAD, everything else, very anti-Trump. I
	2	believe he could have I'll say, for the sake of this
	3	conversation, subconsciously turned it into an
	4	opportunity to go, I hate this side so much, somebody
16:18:44	5	attacked me, it must be someone from that side.
	6	GARY: I can totally subscribe to that.
	7	MS. GLANDIAN: Well, let me
	8	GARY: I I would say that, you know, maybe he's
	9	just there he's so conditioned to be distrusting of
16:18:58	10	that side that when he got attacked, he thought, Well,
	11	of course, it has that has to be a component of that
	12	and just add it in there.
	13	MR. CAROLLA: Yeah, Gary. Like, when you hear
	14	about
16:19:07	15	MS. GLANDIAN: Sure.
	16	MR. CAROLLA: a drive-by shooting, you think
	17	it's the other side; not me, but that's Gary.
	18	Sorry. Go ahead, Tina.
	19	MS. GLANDIAN: And I And that makes sense to me
16:19:15	20	as to his state of mind, you know, for you know,
	21	let's say maybe thinking this was the person the
	22	attacker was a white person.
	23	Again, I don't you know, I think that
	24	certainly could have been a fair kind of whether you



call it a mistake or unconscious kind of memory or 1 2. whatever, I -- I think that certainly could be true. Τ think -- obviously, I don't believe this was a hoax in 3 any way, but I think as far as the -- the kind 4 16:19:42 of publicity --5 I'm sorry. Tina, let me just --6 MR. CAROLLA: MS. GLANDIAN: I think it's important to know --Let me just jump in for one second. 8 MR. CAROLLA: 9 MS. GLANDIAN: Sure. 16:19:49 10 MR. CAROLLA: I don't think -- I'm not saying hoax; I'm saying something happened --11 12 MR. GERAGOS: Right. He's saying that there's a --MR. CAROLLA: -- to you, and you're sort of 13 14 spinning it in your mind. Obvious -- There's a couple 16:19:59 15 things: If you're ever attacked, it's sort of like a 16 car accident. You really -- Your -- You go into fight or flight, and your memory is really shady because 17 you're -- thank goodness, by the way, most people get in 18 car accidents, can't remember everything. They just 19 16:20:13 20 remember waking up in the hospital or they remember the 21 firemen hitting them on the shoulder. Even if they're 22 not knocked out, they go into a state, right? 23 And then later on, if you're trying to 24 reconstruct the accident, as it were, you go, Well, it



was probably a drunk driver who was speeding because 1 2. that's where you're reconstructing. 3 MS. GLANDIAN: Right. So I'm not saying hoax; I'm saying 4 MR. CAROLLA: 16:20:35 5 reconstruction --Yeah. No. 6 MS. GLANDIAN: No. I agree with that. I think that's absolutely --MR. CAROLLA: -- with --8 9 MS. GLANDIAN: -- possible. MR. CAROLLA: -- with a narrative, though, with --16:20:38 10 11 with a possible narrative that suits your -- your --12 your politics. 13 Sorry. Go ahead. 14 MS. GLANDIAN: But the thing is he actually never 16:20:48 15 wanted this to be public. And that's where I -- I 16 disagree. Because even the letter that was sent to Empire a week before this happened, if you ask people at 17 18 Empire, he didn't -- he was going around the studio 19 begging people to keep this quiet because he didn't want 16:21:03 20 this to be something that defines him or that people are 21 talking about or, you -- you know, he didn't want that 22 to be public. 23 Then when this incident happened, he -- you 24 know, doesn't want to call the police, he doesn't want



to go to a hospital, he wants to keep this quiet. And, you know, after the fact, he had actually been offered to go on stage with Alicia Keys at the Grammys, you know, to kind of talk about what happened and to, you know, just speak on this, and he declined that.

And there is, again, text messages and a -- a witness who had come forward from -- who is the booker for the Grammys who said, Oh, yeah, you know, I got a text message that says, Tell Alicia, you know, thank you. I love her. Thanks for thinking of me, but I'm not ready. And, you know, he -- he declined because, again, he did not want this to be something that he's out there talking about and making it a story or a headline or anything else.

And so it's completely inconsistent with a lot of the, you know, theory out there --

MR. CAROLLA: Well --

MS. GLANDIAN: -- whether it's -- it's what you're saying or whether this was a hoax. Obviously, the only reason you would do a hoax is so you can speak about it and you can publicize it, and this is someone who wanted to keep this private.

MR. CAROLLA: He -- Well, he sat down with Robin Roberts.



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Well, the GMA -- yes. 1 MS. GLANDIAN: 2. I can't remember who he sat down MR. CAROLLA: with. 3 MS. GLANDIAN: The GMA interview. 4 16:22:15 MR. GERAGOS: Robin Roberts, exactly. 5 6 MR. CAROLLA: Sorry. MS. GLANDIAN: Yeah. But the only reason he did GMA was, at that point, the narrative had completely 8 9 shifted where everyone thought he had made this up. And so it was kind of a reaction to that. This isn't 16:22:24 10 something he did when -- you know, when people still 11 believed he was a victim. This was when everybody had 12 13 come forward doubting his story, and he was pushed into, 14 You have to go out. The public has to hear from you. 16:22:37 15 And, you know, that's why he -- he's on there, and he sounds defensive because he had to put in a 16 defensive position to try to explain that he's telling 17 18 the truth. So, once again, he didn't want 19 MR. CAROLLA: 16:22:48 20 publicity, but when he did publicity, it's because this 21 thing got too far down the road, and now he felt like he 22 needed to make a statement. 23 MS. GLANDIAN: Exactly. 24 MR. CAROLLA: Predictions: Where are we a month



from now with this entire endeavor, besides 5 million 1 Tweets calling me a dick head? 2. Gary says we're up to 7.5 million now, it's 3 It's a whole week -- or a month. 4 not 5. Sorry. 16:23:17 Where -- Where are -- Where are we a week from 5 A month from now? 6 MR. GERAGOS: This is your first -- This is your 7 first hater in your whole experience? You get Hollywood 8 9 hate. 16:23:25 10 MR. CAROLLA: I don't have thick skin like you, Mark. I -- I -- I -- I was home reading my Tweets, 11 12 and I was about -- the third one calling me an asshole, and I really went, like, What's going on in the air. 13 14 I -- I get a lot of praise. 16:23:39 15 MR. GERAGOS: Why am I'm friends with Geragos? [1] 16 want -- (unintelligible) friendship. MR. CAROLLA: Oh, my, God. That's the No. 1 17 18 subject line. 19 All right. Sorry. Predictions --16:23:47 20 MS. GLANDIAN: Well, it depends. I think if -- if 21 City of Chicago does the right thing, then a month from 22 now, Jussie is finally trying to just move forward with 23 his life and actually heal from this and just move on. 24 If they want it persist down this path, I



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think we'll be in litigation with -- you know, probably
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       2.
                                  So I think it will really depend
            for a while to come.
                                 I think, again, in our letter, we
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            on their next move.
           point out all the reasons why they can't and shouldn't
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            file the civil lawsuit against Jussie, but we'll see
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       6
           what they do.
                 MR. CAROLLA:
                               I -- I get the feeling that that they
           don't want to call the bluff because once you guys start
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           rummaging through their trunk, you're going to find a
            lot of -- of goodies.
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                      Tina Glandian, is that how I'm -- pronounce
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            it?
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                                          Yes.
                MS. GLANDIAN:
                                Correct.
                                                Perfect.
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                MR. CAROLLA:
                               Thanks for taking the time.
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            appreciate it.
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                 MS. GLANDIAN:
                                Thanks, Adam. (Unintelligible.)
                               Mark -- Mark wants you to know you're
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                 MR. CAROLLA:
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            off the clock during this particular time.
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                 MS. GLANDIAN: Perfect. That's going to happy
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           hour.
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                 MR. CAROLLA: No billable hours here, Mark.
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                      Thanks, Tina.
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                MS. GLANDIAN: All right. Thanks, Adam.
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                MR. CAROLLA:
                               Appreciate it.
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1 Wow. 2. MR. GERAGOS: Yeah. MR. CAROLLA: 3 Interesting. (38:32 into the podcast was a 4 16:27:10 commercial for True Car.) 5 All right. So that was enlightening. 6 MR. CAROLLA: And, look, everyone who's listening --MR. GERAGOS: I'm really kind of -- I'm --8 9 MR. CAROLLA: Yes. MR. GERAGOS: -- I'm really -- yes. So go on, 16:27:18 10 11 Adam. (Unintelligible.) 12 MR. CAROLLA: Well, here's what I want to say --Here is what I want to say: People have a notion and 13 14 they -- they think he's -- it's a hoax, it's not a hoax, 16:27:30 15 whatever their notion is. 16 I'm interested when I hear, like, Well, if a guy -- if a couple of thugs attacked you in the street, 17 18 why would you, then, walk in the lobby of your building eating a tuna fish sandwich? And I go, Okay. Yeah, 19 16:27:43 20 that -- that is something, why would do you that if you 21 were attacked in the street? 22 But if Gary told me to get him a tuna sandwich 23 from Subway and I was walking home and a couple guys jumped on me and I dropped the bag, just like if I 24



dropped my phone or -- or my briefcase, backpack or anything else, when I was done, I'd get up on my feet and I collect all the stuff that I dropped or was in the bag or was in the sort of debris circle, and I would walk back in with it.

So I'm not here to say that means it didn't happen, I'm just here to say that, Okay, we have an explanation for the sandwich and with the text on the down low. We have one for that, too. Sorry. Go ahead -- or on the low.

MR. GERAGOS: I just going to say what really bothers me about this case and the reason I think I said three weeks ago that I was willing to wade into this and take all of the bric-a-bracs is when people say I've already made up my mind, I know what the evidence is, and, you know, you're full of shit, what are you talking about, blah-blah-blah -- not you, but me -- my question is, How is it that you know this, number one, when they haven't turned over or made public any of the information? All you know is what was said to you by -- in a press conference, and wasn't said to you, it was done on the Thursday before a Tuesday mayoral election, and you're the same person who would say, Why isn't Chicago doing this? You're the same person or the same



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mayor who sat on the Laguan McDonald videotape until a Federal Court ordered it to be turned over a year later so you know -- and there's demonstrable corruption in that department, and you're probably team anti-Chicago which is under a -- the Chicago Police Department, at least -- which is under a Federal Court consent order, where are you getting your information that you are so positive in your belief that what you think is true? That's what just drives in crazy.

MR. CAROLLA: Well, again, if you're turning on the news, you turn it on the day after the attack, and this guy was attacked in the streets by white supremacists who were -- who are wearing MAGA hats, and then you turn on the news one week later, and why would this guy have the tuna fish sandwich in his hand, and, oh, by the way, there's a text with him wanting to meet the -- the -the assailant to have an on-the-low conversation with him, and then you go -- you swing hard the other direction and you go, Huh, now I know for sure this story.

So I knew for sure the story the day after, couple of white supremacists attacked a young gay black man, and then a week after that, I knew the story for sure, the black man put on a hoax in order to get

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**LEXITAS** 

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attention for himself in a higher -- and a pay raise
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           on -- on his television series.
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                MR. GERAGOS: Right. Right.
                               So that's how -- that's how we are.
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                MR. CAROLLA:
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           You live somewhere in the middle, and most of us swing
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           hard this way, look at, every -- almost every single
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           person except for A.J. Benza, who announced he didn't
           believe it the second it happened, every single person
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       9
           in -- in America said, No. This guy was attacked on the
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           street by a couple of racist thugs, and then one week
      11
           later, every single person in America said, This guy
      12
           staged a hoax. So that's kind of who we --
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                MR. GERAGOS: Yeah. I mean, you don't
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            (unintelligible) --
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                MR. CAROLLA: -- it's who we are.
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                MR. GERAGOS: And if you go back and listen, you
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           know, we were skeptical going in, you and I
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           collectively -- so if anybody wants to go back and look
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           at the record, we were skeptical going in, and skeptical
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           going out.
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                      So I -- it's all -- it's kind of -- kind
           of my -- the -- if we had Drew here, I think he would
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      23
           tell you, it's the -- one of the things that you do
      24
           or -- you know, Drew will argue and -- and you probably
```



heard it, what, 5,000 times about the value of a liberal 1 2. arts education. And one of the only things -- redeeming 3 thing -- that I can say about a liberal arts education is to the degree that it teaches you to critically 16:32:11 5 think -- and, obviously, Adam you do that naturally -but that is kind of what you would hope out of people is 6 just do some critical thinking. And if you're sitting and listening to Reasonable Doubt, then, you know, it's 8 the same thing where they critic- -- we're trying to 9 critically think as opposed to just accept what is spoon 16:32:25 10 11 fed to us. 12 MR. CAROLLA: Right. By the same news networks 13 either -- whichever way the pendulum speaks, the same 14 group has swung, that -- the news world doesn't want to 16:32:43 15 live in the middle. They're -- They don't -- There's no 16 such headline --17 MR. GERAGOS: No. MR. CAROLLA: -- as, well, maybe, sort of, kind of, 18 probably, or sort of happened, it's just, This is what 19 16:32:51 20 happened over here, or -- and now, This is what happened 21 That's how they -- they make their money. over there. 22 They don't have any 4s or 5s. They're all 10s. And 23 they're not all the -- going the same -- same direction. 24 MR. GERAGOS: Right.



1	MR. CAROLLA: On a On a Before we wrap it up,
2	speaking of, like, Muller Report, where what's
3	your what's your head on on that and what's moving
4	forward and what should be done and where everyone's
16:33:18 5	going with it?
6	(Approximately 45:50 in the podcast,
7	they start on a different subject
8	from the Smollett topic until the
9	end of the Reasonable Doubt podcast
10	recording at 53:00.)
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1	STATE OF ILLINOIS )
2	) SS. COUNTY OF COOK )
3	
4	The within and foregoing recorded audio
5	excerpt was taken down stenographically and transcribed
6	to the best of her ability by Traci L. Gidley, Certified
7	Shorthand Reporter, Registered Professional Reporter,
8	and Notary Public at the offices of Jensen Litigation
9	Solutions, 180 North LaSalle Street, Suite 2800,
10	Chicago, Illinois, at 5:00 p.m. on June 8th, 2019.
11	Witness my official signature in and for Cook
12	County, Illinois, on this 20th day of June, A.D.,
13	2019.
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